

REMARKS/ARGUMENTS

Claims 6, 14, 29 and 39-40 are in the case.

Reconsideration of this Application and entry of the foregoing amendments are requested. Claims 1-5, 7 to 13, 15 to 28 and 30 to 38 are withdrawn, without prejudice. Claim 6 has been amended in view of the Office Action and to better define what the Applicants consider their invention, as fully supported by an enabling disclosure. Additional support for the "77% identity" terminology in amended claim 6 can be found, for example, at page 28, line 6 of the specification. New claims 39 and 40 recite new recombinant vectors and host cells. Support for these claims may be found in the original claims 14 and 29 and at page 28, line 6 of the specification.

By this Office Action, the Examiner has required restriction of the above-identified application to one invention under 35 U.S.C. 1.499:

Group I, Claim 1, drawn to a method of obtaining a neprilysin-like metallopeptidase.

Group II, Claims 2-5, drawn to the mouse NL-1 of Figure 3.

Group III, Claims 6, 14 and 29, drawn to the DNA encoding the mouse NL-1 of group II.

Group IV, Claim 7, drawn to an antibody against the mouse NL-1 of group II.

Group V, Claim 8, drawn to a method of obtaining a substrate of the mouse NL-1 of group II.

Group VI, Claims 9-12, drawn to a method of obtaining an inhibitor of the mouse NL-1 of group II, the inhibitor and a method of using the inhibitor.

Group VII, Claim 13, drawn to a method of using a metallopeptidase [of group II].

Group VIII, Claims 15 and 28, drawn to a method of producing a soluble protein.

Group IX, Claims 16-19, drawn to the NL-2 of Figure 4.

Group X, Claims 20 and 29, drawn to the DNA encoding the NL-2 of group IX.

Group XI, Claim 21, drawn to an antibody against the NL-2 of group IX.

Group XII, Claim 22, drawn to a method of obtaining a substrate of the NL-2 of group IX.

Group XIII, Claims 23-26, drawn to a method of obtaining an inhibitor of the NL-2 of group IX, the inhibitor and a method of using the inhibitor.

Group XIV, Claim 27, drawn to a method of using the NL-2 of group IX.

Group XV, Claims 2-5 [30-31], drawn to the NL-3 of Figure 5.

Group XVI, Claims 6, 14 and 29, drawn to the DNA encoding the NL-3 of Group XV. [We believe that this group should not exist since there is no claim directed specifically to the DNA of NL-3]

Group XVII, Claim 7 [32], drawn to an antibody against the NL-3 of Group XV.

Group XVIII, Claim 8 [33], drawn to a method of obtaining a substrate of the NL-3 of Group XV.

Group XIX, Claims 9-12 [34-37], drawn to a method of obtaining an inhibitor of the NL-3 of Group XV, the inhibitor and a method of using the inhibitor.

Group XX, Claim 13 [38], drawn to a method of using the NL-3 of Group XV.

Applicant first notes that the claims listed under Groups XV to XX were probably erroneous so that the claims appearing above between brackets were probably those that these Groups were meant to cover. Nevertheless, responsive to the Requirement

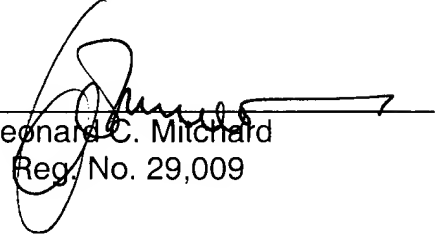
DESGROSEILLERS e
Appl. No. 09/913,329
August 6, 2003

for Restriction, Applicant wishes to elect to prosecute the invention of Group III drawn to claims 6, 14 and 29.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Leonard C. Mitchard
Reg. No. 29,009

LCM:lfm
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100